

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRAND LITTLE, et al.,
Plaintiffs,
v.
PACIFIC SEAFOOD PROCUREMENT,
LLC, et al.,
Defendants.

Case No. 23-cv-01098-AGT

**ORDER DENYING MOTION TO
COMPEL**

Re: Dkt. No. 385

In March 2025, plaintiffs served third-party Tillamook Bay Seafoods with a Rule 45 subpoena for records. *See* Dkt. 385-1, Middlemiss Decl. ¶¶ 3–5. Tillamook Bay Seafoods never timely responded to the subpoena, and plaintiffs brought the instant motion to compel. Dkt. 385.

A subpoena may command production of documents “at a place within 100 miles of where the person resides, is employed, or regularly conducts business.” Fed. R. Civ. P. 45(c)(2)(A). Tillamook Bay Seafoods’ principal place of business is in Garibaldi, Oregon, but the subpoena commands production of documents to a “place” in San Francisco, California, well more than 100 miles away from Garibaldi. Middlemiss Decl., Ex. A. at 2. The subpoena is thus improper.

Plaintiffs “may move the court for the district where compliance is required for an order compelling production or inspection.” Fed. R. Civ. P. 45(d)(2)(B)(i). However, this Court may not compel production because Tillamook Bay Seafoods is beyond the

geographical limits for subpoenas specified in Rule 45(c). See Fed. R. Civ. P. 45(d)(3)(A)(ii).

Accordingly, plaintiffs' motion is DENIED.

IT IS SO ORDERED.

Dated: September 15, 2025



Alex G. Tse
United States Magistrate Judge